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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,163	10/26/2005	Alan Bradbum	12400-035	9106
757 7590 11/30/2007 BRINKS HOFER GILSON & LIONE P.O. BOX 10395 CHICAGO, IL 60610			EXAMINER ROCCA, JOSEPH M	
			ART UNIT 3616	PAPER NUMBER
			MAIL DATE 11/30/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/528,163	Applicant(s) BRADBUM, ALAN	
	Examiner Joseph Rocca	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 10/4/07.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
 4a) Of the above claim(s) 5, 6 and 9 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7, 8 and 10-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4, 7-8, and 15-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanase et al. (JP 2002200929 A). Tanase discloses an airbag (Element 11) comprising, the airbag (Element 11) defining at least one inflatable region (Element 15, also Elements 17, 19, 21), the airbag being provided with a gas supply duct (Element 23) extending into the airbag, the gas supply duct (Element 23) being formed of a flexible material and being provided with a plurality of apertures (Elements 31) therein through which an inflating gas may flow into the said at least one inflatable region of the air-bag, the said apertures (Elements 31) being provided with a reinforcement (Element 33) reinforcing peripheries (Elements 32) of the apertures (Elements 31), wherein the reinforcement being formed of an elongated reinforcing element (Elements 33) defining a plurality of openings the reinforcing element being affixed onto a surface of the gas supply duct about the apertures, wherein the openings of the reinforcing element are aligned with corresponding apertures of the gas supply duct and the reinforcing element does not extend around the gas supply duct.

With respect to claim 4, Tanase further discloses that the gas supply duct is of an elongate form.

Regarding claim 7, Tanase also discloses that the reinforcement is stitching provided in the flexible material forming the gas supply duct. Additionally, [claim 8] the reinforcement comprises a length of thread extending across the aperture, so as to tie together opposing parts of the aperture, in as much as the threads go across and through the top and bottom layers of the periphery of the aperture thereby tying together the opposing parts of the apertures.

With respect to claim 15, Tanase discloses an airbag that defines a plurality of inflatable regions or chambers. Tanase [claim 16] further discloses an airbag that is an inflatable curtain, the gas supply duct being positioned to supply gas to each of the inflatable regions or chambers.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 2, 3, 10, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanase et al. (JP 2002200929 A). Tanase discloses the claimed invention except for: [claim 2] clearly disclosing that the flexible material comprises fabric or a plastic material, [claim 3] disclosing that the flexible material comprises foil, or [claim 10] disclosing that the reinforcement is formed of fabric. Nevertheless, use of the claimed materials for the claimed purposes is old and well known. Moreover, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized these materials in the claimed manner, since it has been held to be within the general skill of a worker in the art to select known

materials on the basis of their suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416.

5. Claims 2, 10-12, 13-14 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanase et al. (JP 2002200929 A) in view of Masuda et al. (U.S. App. 2001/0019201 A1). Tanase discloses all the limitations of claims 2, 11-12, 13-14 and 17-18, except for the reinforcing element being adhesively bonded to the flexible material, wherein the reinforcement is formed of a fabric. Masuda teaches an airbag having a reinforcement formed of a single layer of fabric (Fig. 10(b), Element 63a) that is adhesively bonded (Fig. 10(b), Element 66) to a flexible fabric gas supply duct. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Tanase such that it utilized a single layer of fabric that is adhesively bonded to the flexible material, so as to provide a strong reinforcement that is both strong and easy to secure and manufacture, so as to help improve the reliability of the airbag, as well as the safety to occupants.

With respect to claim 14, the combination of Tanase in view of Masuda further teaches that the aperture is in the form of a slit through the overlapping portions of the flexible material and the adhesive.

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tanase et al. (JP 2002200929 A) in view of Bailey et al. (U.S. 6,073,961). Tanase discloses all the limitations of claim 3, except for the flexible material comprising foil. Nevertheless, the use of foil as a flexible material in airbags is old and well known. Bailey discloses the use of a flexible material comprising foil (Col. 2, Lines 25-34), in as much as the tube is an elastomeric inner tube made of metal, which according to Figure 1c is a thin sheet, and as such this would be a flexible material

that comprises foil. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Tanase, to utilize a flexible material that comprises foil, in view of the teachings of Bailey, for the purposes of using a well known material that would provide desirable properties, such as high strength and also because use of said foil would improve the safety of the occupants by increasing the reliability of the airbag, based on said desirable properties such as high strength, which would reduce the likelihood of the airbag failing at the time of use.

7. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Tanase et al. (JP 2002200929 A) in view of Bailey et al. (U.S. 6,073,961) as applied above and further in view of Muller (U.S. App. 2001/0045729 A1) and Enders et al. (U.S. 6,846,010 B2). The combination of Tanase in view of Bailey discloses all of the limitations of claims 18 and 19 except for the use of sonic welding. Nevertheless, the use of both plastic and sonic welding is old and well known in the art. With respect to the plastic material, it would have been obvious to one having ordinary skill in the art at the time the invention to have utilized the claimed components being made from plastic because the use of plastic material is old and well known and also because it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416. With respect to the welding limitation, Muller discloses that it is old and well known to use welding as a means to attach components in an airbag (Paras. 0023, 0025, 0051-0058, and 0061-0062), such as to form portions of the gas supply duct etc.. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have further modified the combination of Tanase in view of

Bailey, so as to utilize welding as a means to attach the reinforcing element to the flexible material and also to have made both the reinforcing element and flexible material from plastic, in view of the common knowledge and general skill known to those in the art at the time of invention and also because of the teachings of Muller, so as to create an effective and reliable means for connecting the reinforcing element to the flexible material that has a secure and strong means of attachment and also has the advantage of being made from a light weight material.

With respect to the sonic welding limitation, the combination of Tanase in view of Bailey as further modified by Muller, does not specifically disclose the use of sonic-welding although the combination does in fact teach welding. The use of sonic welding is old and well known; Enders teaches the use of sonic welding as a means of attaching components of an airbag (Col. 8, Lines 6-15). Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the combination of Tanase in view of Bailey as further modified by Muller, to use sonic-welding based on the teachings of Enders, so as to use a process that is readily available and known, so as to create a convenient and inexpensive means of attachment.

Response to Arguments

8. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

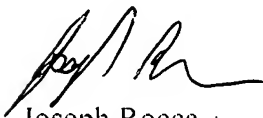
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Rocca whose telephone number is 571-272-5191. The examiner can normally be reached on 8:30 AM to 5:00 PM, Monday through Friday.

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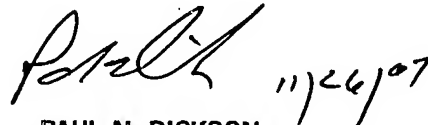
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Joseph Rocca
Patent Examiner
AU-3616



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